

NOISE ORDINANCE REVIEW COMMITTEE (NORC)

**MAY 19, 2004
6:00 P.M.**



**NOISE ORDINANCE REVIEW SUBCOMMITTEE
5:00 P.M.**

**VILLAGE HALL
BUILDING, ZONING, AND PLANNING DEPARTMENT
CONFERENCE ROOM # 250**

1. Attendance
2. Approval of Minutes: April 14 Meeting (to be distributed at the meeting)
3. Public Hearing Notice and Format **Jud Kurlancheek**
 - a. Public Notice of the Meeting
 - b. Public Hearing Format
 - c. Committee Public Hearing
 - d. Village Council Public Hearings (2)
4. Committee Public Hearing
 - A. Introduction **Luis Arrondo**
 1. Explanation of This Public Hearing
 2. Council Public Hearings June 8 and June 22, 2004
 3. Introduction of committee members
 4. Methodology - how you reviewed the Ordinance
 5. Committee held 12 meetings, open to the public to comment
 - B. Review Changes Made to Definitions Sec. 17-2 **Luis Arrondo**
 - C. Review Changes Made to Prohibited Acts Sec. 17-3 **Clint Archambault
Ramon Rodriguez**
 - D. Review Changes Made to:
Permits for Special Events Sec. 17-4
Exemptions Sec. 17-5
Enforcement and Penalties Sec. 17-6
Penalties Sec. 17-7 **Bill Pickell**
 - E. False Burglar Alarm Ordinance Sec. 17-8 **Luis Arrondo**
 - F. Public Hearing
Chair establishes time limits for speakers
Chair closes the public hearing and discussion by Committee members
 - G. Committee vote and recommendation to Council
5. Adjournment



TYPES OF PUBLIC NOTICES
FOR THE COMMITTEE PUBLIC HEARING ON MAY 19, 2004

1. The Islander News published an article on May 13 which explained the changes to the ordinance.
2. The Islander News published an editorial on May 13.
3. The Village website (www.keybiscayne.fl.gov) includeS an announcement regarding the public hearing.
4. Notice was mailed to apartment and condominium manager's.
5. Notice was posted on the Sunshine Board in Village Hall

(this is a computer generated letter that was mailed on May 12)

May 12, 2004
FAX 305 444 0842

F. Michael Steffens
161 Aragon Avenue
Coral Gables, FL 33134

Re: Request for Public Documents

Dear Mr. Steffens:

As per your May 10, 2004 request to the Village Manager, please find enclosed the Special Event Permits that were issued by the Village for the past year.

On May 11, 2004, we discussed the Village's public notice procedures that will be used to publicize the May 19, 2004 public hearing before the Noise Ordinance Review Committee. Please note there are no requirements for the Committee to hold a public hearing. The Committee, in the interest of wanting to provide an opportunity for the public to comment on the proposed ordinance prior to consideration by the Council, has scheduled the public hearing. In furtherance of this objective, the following additional notifications to the public will be provided:

1. The Islander News will publish an article on May 13 which explains the changes to the ordinance.
2. A public notice will appear in the May 13 Islander News.
3. The Village website (www.keybiscayne.fl.gov) includes an announcement regarding the public hearing.
4. As per your suggestion, we have mailed a public notice to apartment building managers.

Should the Council wish to proceed with the proposed ordinance, the Council will hold two (2) public hearings.

I hope you are satisfied that the Village has made every effort to publicize the public hearing. If you have any other suggestions, please contact me.

Sincerely,

Jud Kurlancheek, AICP, Director

Cc: Jacqueline R. Menendez, Village Manager



DT: May 13, 2004

TO: Noise Ordinance Review Committee

FR: Jud Kurlancheek, AICP, Director
Building, Zoning, and Planning Department

RE: Proposed Meeting Schedule and Methodology

Meeting Number	Meeting Date	Issues/Subjects to be Addressed
1.	July 2, 2003	Committee reviews schedule and approves methodology Police Department, Building, Zoning, and Planning Department, and Committee members identify problems in the administration of the Ordinance.
2.	Aug 13, 2003	Police Department, Building, Zoning, and Planning Department, and Committee members identify problems in the administration of the Ordinance (Continuation of the July 2 discussion). Review of Key Biscayne Noise Ordinance Committee initiates review how other municipalities deal with noise: Coral Gables, Aventura, and Pinecrest. Presentation by the BZP Director.
3	Sept 17, 2003	Committee completes review how other municipalities deal with noise: Coral Gables, Aventura, and Pinecrest. Presentation by the BZP Director. Key Biscayne Noise Committee: Review of complaints and violations Review of Key Biscayne Noise Ordinance Sec 17-3 <div><div>(a) Excessive noise</div><div>(b) Horns, signaling devices, etc.</div><div>(d) Animals, birds, etc.</div><div>(e) Exhausts</div><div>(f)</div><div>Construction</div><div>(g) Firearms and explosives</div><div>(p) Power tools and landscaping equipment</div></div>

4.	Oct 15, 2003	<p>Review of Key Biscayne Noise Ordinance Sec 17-3</p> <p>(k) Defect in Motor Vehicle or Motorboat (n) Aircraft</p> <p>(l) Hawkers/peddlers (o) Open air concerts, musical broadcasts, etc.</p> <p>(m) Schools, courts, hospitals, places of religious worship q) Leaf blowers</p> <p>Section 17-4 Permits for Special Events Section 17-7 Penalties</p> <p>Section 17-5 Exemptions Section 17-6 Enforcement</p> <p>Review of complaints and violations</p>
5.	Nov 19, 2003	<p>Section 17-3</p> <p>(c) Radios, Televisions, Photographs, Musical Instruments, etc.</p> <p>(f) Construction - Staff requests a clarification</p> <p>(h) Loudspeaker or sound amplification</p> <p>Review of Section 17-4 Permits for Special Events Burglar Alarms - New Section</p> <p>Review of Section 17-5 Exemptions</p>
6.	Dec 17, 2003	Review of Section 17-4 Permits for Special Events
7.	Jan 21, 2004	<p>Review of Section 17-6 Enforcement Review of Section 17-3(c) noise from private clubs and hotels</p> <p>Review Enforcement, Section 17-7 Penalties</p>
8.	Feb 18, 2004	<p>Review of Section 17-3(3) noise from private clubs and hotels</p> <p>Review of New Section 17-8 Burglar Alarms</p>
9.	Mar 17, 2004	<p>Review of Section 17-3(3) noise from private clubs and hotels</p> <p>Review of New Section 17-8 Burglar Alarms</p>
10.	April 14, 2003	<p>Section 17-3 - reconsideration of previously approved sections</p> <p>Section 17-3(p) & (q) relating to Leaf Blowers</p> <p>Section 17-3(c) Radios, televisions, phonographs, musical instruments, parties</p> <p>Section 17-3(f) Construction</p>
11.	May 5, 2004	Subcommittee meets to prepare presentation for public hearing
12.	May 19, 2004	Committee holds a public hearing on the ordinance and submits recommendation to the Village Council. Public hearing advertised in The Islander News and an editorial, posted in Village Hall, and listed on Village's website. At the conclusion of the hearing, changes are made, and the ordinance is forwarded to the Village Council.
13.	June 1 & 22, 2004	Village Council holds two public hearings.



VILLAGE OF KEY BISCAYNE
NOTICE OF PUBLIC MEETING REGARDING THE
NOISE ORDINANCE REVIEW COMMITTEE

PUBLIC NOTICE IS HEREBY GIVEN THAT THE NOISE ORDINANCE REVIEW COMMITTEE WILL HOLD A PUBLIC MEETING ON MAY 19, 2004, 6:00 P.M. IN THE VILLAGE HALL, BUILDING, ZONING, AND PLANNING DEPARTMENT CONFERENCE ROOM #250, 88 W. MCINTYRE STREET KEY BISCAYNE, FL 33149. THE PURPOSE OF THE PUBLIC HEARING TO RECEIVE INPUT FROM THE PUBLIC AND TO REVIEW, DISCUSS AND MAKE RECOMMENDATIONS TO THE VILLAGE COUNCIL REGARDING THE NOISE ORDINANCE. INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD OR SUBMIT WRITTEN COMMENTS TO THE BUILDING, ZONING, AND PLANNING DIRECTOR TO THE BUILDING, ZONING, AND PLANNING DIRECTOR AT 88 W. MCINTYRE STREET, KEY BISCAYNE, FL 33149. IF YOU HAVE ANY QUESTIONS WITH RESPECT TO THIS MATTER PLEASE CALL 305 365 8908.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS PROCEEDING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE VILLAGE CLERK, 88 WEST MCINTYRE STREET, KEY BISCAYNE, FLORIDA 33149, TELEPHONE NUMBER (305) 365-5511, NOT LATER THAN TWO BUSINESS DAYS PRIOR TO SUCH PROCEEDINGS.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (F.S.286.0105).

COMMENTS OF ANY INTERESTED PARTY RELATIVE TO THIS MATTER MAY BE SUBMITTED IN WRITING AND OR PRESENTED IN PERSON AT THE PUBLIC MEETING.

NOTICE IS HEREBY GIVEN THAT ONE OR MORE MEMBERS OF THE VILLAGE COUNCIL OR VILLAGE COMMITTEE MAY BE ATTENDING THIS MEETING.

Posted in the Village Hall May 14, 2004



VILLAGE OF KEY BISCAYNE
NOTICE OF PUBLIC MEETING REGARDING THE NOISE ORDINANCE
REVIEW SUBCOMMITTEE

PUBLIC NOTICE IS HEREBY GIVEN THAT THE NOISE ORDINANCE REVIEW SUBCOMMITTEE WILL MEET ON MAY 19, 2004, 5:00 P.M. IN THE VILLAGE HALL, BUILDING, ZONING, AND PLANNING DEPARTMENT CONFERENCE ROOM #250 88 W. MCINTYRE STREET KEY BISCAYNE, FL 33149. THE PURPOSE OF THE MEETING IS TO PREPARE FOR THE SUBCOMMITTEES' PRESENTATION AT THE PUBLIC HEARING SCHEDULED AT 6:00 P.M INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD OR SUBMIT WRITTEN COMMENTS TO THE BUILDING, ZONING, AND PLANNING DIRECTOR TO THE BUILDING, ZONING, AND PLANNING DIRECTOR AT 88 W. MCINTYRE STREET, KEY BISCAYNE, FL 33149. IF YOU HAVE ANY QUESTIONS WITH RESPECT TO THIS MATTER PLEASE CALL 305 365 8908.

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Posted in the Village Hall May 14, 2004